



Order Filed on August 17, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)  
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PNC Mortgage, A Division of PNC Bank, National  
Association

In Re:  
Sheryl A. Rubin,  
  
Debtor.

Case No.: 16-26356-KCF

Adv. No.:

Hearing Date: 5/24/2017 @ 9:00 a.m.

Judge: Kathryn C. Ferguson

### **ORDER RESOLVING MOTION FOR RELIEF FROM STAY VIA LOSS MITIGATION PROGRAM**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby **ORDERED.**

**DATED: August 17, 2017**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

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Debtor: Sheryl A. Rubin

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Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY VIA LOSS MITIGATION PROGRAM

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Mortgage, a Division of PNC Bank, National Association, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 6022 Cedar Court, Monmouth Junction, NJ 08852, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Thomas Monahan, Esquire, attorney for Debtor, and for good cause having been shown

It **ORDERED, ADJUDGED and DECREED** that Debtor shall make post-petition payments directly to Secured Creditor outside of the plan in accordance with the terms of the Court's loss mitigation order; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor is to obtain a loan modification by the date set forth in the loss mitigation order or as may be further extended by an Order Extending Loss Mitigation or an amended plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that in the event loss mitigation is unsuccessful, Debtor is responsible for the difference between the loss mitigation payment and the regular payment for the all post-petition months; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the loss mitigation payments (or regular monthly mortgage payments upon expiration of the Loss Mitigation Program) are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.